

THE COMMISSIONERS "GET IT IN THE NECK"

ZINGO! DEFENDANTS WIN LICENSE CASE IN COURT

DARK LANTERN GOES INTO THE DISCARD

BONANZA HUMBLY ASKS FORGIVENESS

But it Admits That it Got Away With Something it Labored For Pro Bono Publico

THE gallant fight led by the Bonanza and six other business firms of Tonopah against the oppressions and misfeasances in office by the county commissioners, sitting as a self constituted town board, resulted in a glorious victory this morning when Judge Mark R. Averill of the fifth judicial district court handed down a decision and an opinion freeing the defendants from the payment of town licenses and assessing the costs in the action against the ill-advised county commissioners, acting as self-constituted rulers of the community.

The case could have no other termination, as shown in the evidence and the law. It is a case which will not be appealed, because an irate and long-suffering public will upon such an undertaking immediately demand and secure the recall of the commissioners and their legal adviser, having most ample reason and incentive for taking such a course.

The way now is cleared for the establishment of a commission form of government that will oppress no one and which will lead to the betterment of the community. It is difficult to reduce Judge Averill's decision to the space that it must be limited to in the Bonanza. In many places the stars represent almost as interesting and pertinent points as the paragraphs quoted:

Board of County Commissioners of Nye County, etc., Plaintiff, vs. Henry Schmidt, et al., Defendants. Opinion. The above-entitled cause was selected from among seven similar suits for trial, counsel having stipulated that its decision should be applicable to the others and, so far as this court is concerned, determinative of them.

Four questions are presented: 1. Whether, under Section 877 of seq. of the Revised Laws of Nevada, the Board of County Commissioners of Nye County has the management of the affairs and business of the Town of Tonopah. 2. Whether the Board of County Commissioners of Nye County had the power to pass the ordinance of August 3, 1905, providing for the collection of licenses upon certain forms of business. 3. Whether there was a sufficient publication of the ordinance. 4. Whether the business of the ten defendants in the seven cases is subject to the license sought to be imposed by the ordinance.

The case could be decided without a determination upon all of these questions, but a request was made that all be answered, in response to which the law bearing upon each will be discussed.

It is admitted that Tonopah is not a disincorporated town, so its class, at the time of the passage of the ordinance was either that of a town of 600 voting population or that of a town (Continued on Page 4.)

Dated September 20, 1915.
MARK R. AVERILL,
District Judge.

GREATEST BATTLE IN WAR NOW IMMINENT

RUSSIAN ARMY MENACED BY A VAST ENCIRCLING MOVEMENT OF GERMANS

LONDON, Sept. 20.—A Russian army estimated at from a quarter to half a million men is menaced since the fall of Vilna. A German encircling movement similar to that at Warsaw will probably precipitate the greatest battle of the war.

REV. FR. DERMODY came over in his car from Goldfield yesterday, returning this morning.

Bullion Shipment By West End Co.

The West End Consolidated Mining company yesterday shipped the first cleanup for the month of September. It consisted of 35 bars, weighing 56,659 ounces, and valued, computing the gold and silver contents at 65 cents an ounce, \$36,728.35.

MASS MEETING ON TUESDAY NIGHT

Oyez! Oyez! Oyez! All you good people of Tonopah! Mass yourselves tomorrow evening in Miners' Exchange hall. You may be pro or con, but you will hear some good speeches at that and the entertainment will be worth the price of admission, which will be nil.

ALLIES CUT THEIR DEMAND FOR MONEY

Actually Reported That German Banking Firm Will Take Part in Big Loan

NEW YORK CITY, Sept. 20.—The largest underwriting syndicate the western world has ever known is in process of formation to handle the Anglo-French loan, the amount of which has now sunk from a billion to six or eight hundred millions. Banks of the whole country, including German firms, will participate.

ARCHIBALD SAYS PROSECUTION UNJUST

NEW YORK CITY, Sept. 20.—James Archibald, the American correspondent who was intercepted by the British authorities while carrying the messages which resulted in the recall of Austrian Ambassador Dumba, arrived here today and was met by secret service men and searched. He declared himself without a guilty knowledge of the contents of the messages, and said that his prosecution was unjust.

GREAT ACTIVITY ON THE FRENCH FRONT

PARIS, Sept. 20.—An official statement reports great activity along the French front and says that a munitions depot on the enemy's line at Perthes was destroyed.

MANY INDUCTED INTO K. OF C. LODGE

The largest class of novices initiated into the Knights of Columbus at any one time in Nevada was inducted in the minor and major degrees yesterday at the Knights of Columbus home on Brougher avenue. The ceremonies were conducted jointly by the Tonopah and Goldfield councils. Goldfield council put on the first degree while Tonopah council exemplified the mysteries of the second degree. The superlative grandeur of the third degree was beautifully demonstrated by the visiting team, comprising Frank M. Silva, Thomas A. Anglin, and T. J. Dwyer Sr. of Napa, Cal., under the direction of R. Chisholm of San Francisco. The team stands high in council circles along the coast and the fact that Goldfield and Tonopah succeeded in inducing these knights to visit Tonopah on this occasion is accepted as a high compliment to the growth of Columbianism in this district.

When the first degree was exemplified almost the complete roster of Tonopah and Goldfield councils were represented, nearly 200 knights attending the ceremony. The class included twenty-eight candidates.

From Tonopah—John Lavin, Martin Munroe, D. J. Bathurst, Thomas Riordan, D. F. Sullivan, J. L. Sullivan, Michael Carroll, John Mulderig, Michael Flynn, M. J. Neary, J. R. Moffat, J. A. De Vilbiss, George L. Dugan, Rev. Jerome Diss, Murdie Bennett, Michael McVeigh, John Lavin, J. P. Gilroy, James Murtagh, Patrick Mahoney.

From Goldfield—John O'Gara, William John Morrison, Henry Lester Cannon, Thos. F. O'Brien, Patrick Wallace Campbell, George H. Baldwin, Bernard H. Woolderink.

The exercises began with the arrival of the Knights of Columbus from Goldfield, who came by train and ten auto cars, the latter being employed by those who desired to return home the same evening. The Goldfield council marched to the Columbus home where the Tonopah knights

where the men who pay the taxes will have a voice in deciding how the tax money shall be spent. It will mean the rebirth of Tonopah, the dawn of a better day. It will be the biggest, most harmonious and most useful public meeting ever held in this community and out of it will grow an organization that will enable Tonopah to move forward and get out of the rut into which it was thrown by the county commissioners and the district attorney. It will seem like being in Faneuil hall to all who attend. Come with your talking clothes on and get a front seat and be there by 7:30.

And, by the way, if Judge Forman isn't present at the mass meeting a provost guard will be sent out after him and will handle him roughly if he exists. Judge Forman tackled this proposition after other attorneys had

ROCKEFELLER VIEWS COLORADO F. & I.

Non-Committal Over Report That Hill is Planning to Buy His Holdings There

TRINIDAD, Colo., Sept. 20.—John D. Rockefeller Jr. stepped unexpectedly from a sleeping car this morning for his first inspection of the properties of the Colorado Fuel and Iron company. The visit was inspired by meeting "Mother" Jones, the labor agitator, whom he met last winter while testifying before the industrial relations commission. He was non-committal over the report that James Hill is negotiating for the purchase of the Rockefeller holdings in Colorado. Hill denied the report.

EYE WITNESS TELLS OF ZEPPELIN RAID

NEW YORK CITY, Sept. 20.—The first eye witnesses of the most disastrous Zeppelin raid yet made on London, which occurred September 8th, arrived today. They said the fight in the air between the invaders and British aircraft was thrilling. There were three Zeppelins in the fleet, and they circled the theater and hotel district. One incendiary bomb destroyed a block of warehouses five minutes' walk from St. Paul's cathedral. A six-story tenement was shattered by an explosion in which a dozen persons were killed, while others fell near, jeopardizing hospitals. A panic in the streets followed the approach of the Zeppelins, men and women fighting for conveyances to take them home.

Frank Page, a son of Ambassador Page, said the family rushed into the street upon hearing the boom of an explosion and saw a Zeppelin, looking like a huge cigar a mile in the air. None were frightened until an anti-aircraft gun concealed nearby was discharged, terrifying the spectators for a moment. He could hear the people cheer as shots exploded near the invaders.

TERRIFIC BATTLE RAGING NEAR DVINSK

LONDON, Sept. 20.—The Times correspondent at Dvinsk wires that a terrific battle has been raging continuously for three days, 12 miles away. The Russians are excellently entrenched and are holding the enemy of three times their strength and a vast superiority of guns.

DUMBA PREPARES TO LEAVE THE COUNTRY

NEW YORK, Sept. 20.—Dr. Dumba, the recalled Austrian ambassador, has reserved passage on the Rotterdam, sailing September 28.

CREW OF HESPERIAN LACKED IN BRAVERY

NEW YORK CITY, Sept. 20.—Mrs. Ronald Whiteway of Toronto, a Hesperian survivor, arrived here today. She declared that the conduct of the crew of the Hesperian was not praiseworthy. She said a sailor "jumped" her place in the boat, and when she attempted to remonstrate, he struck her, breaking her arm.

BUTLER THEATER

Exclusive Features

TONIGHT
"SEALED VALLEY"
A story of the great north woods, featuring DOROTHY DONNELLY

Tomorrow
Paramount Travel Pictures
"The Dancing Girl"
A Paramount Feature

One matinee 1:30; Night, 7-8:30
Admission 10-15 cents